

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

UNITED STATES OF AMERICA

PLAINTIFF,

v.

\$8,500.00 IN UNITED STATES
CURRENCY,

DEFENDANT.

Civil Action No.

1:21-cv-03847-TWT

**CLAIMANT'S MOTION FOR SUMMARY
JUDGMENT**

COMES NOW Claimant, BRIAN KEITH MOORE, JR., by and through his undersigned counsel, pursuant to Rule 56 of the Federal Rules of Civil Procedure and Rules 7 and 56 of the Local Rules for the Northern District of Georgia, and hereby files this Claimant's Motion for Summary Judgment.

Claimant is entitled to summary judgment on Plaintiff's forfeiture claims as, based on the undisputed facts, as a matter of law Plaintiff cannot show probable cause that the currency at issue is connected to or derived from the illegal distribution of a controlled substance or any other illegal action. In support of this Motion, Claimant relies on the attached Memorandum In Support of Motion for

Summary Judgment and the Statement of Undisputed Material Facts therein.

WHEREFORE, based on the motion set forth above and Claimant's Memorandum of Law in Support of Motion for Summary Judgment, Claimant respectfully requests that this Court grant his motion for summary judgment. Plaintiff requests that this Court order Plaintiff to return the currency at issue to the Claimant, with interest, and that Claimant be awarded attorneys' fees to be determined after subsequent application to this Court.

Respectfully submitted, this 2nd day of September, 2022.

By: /s/ Jason D. Sammis
Jason D. Sammis
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Attorney for Claimant

CERTIFICATE OF COMPLIANCE

I hereby certify that on September 2, 2022, I prepared the forgoing CLAIMANT'S MOTION FOR SUMMARY JUDGMENT, in compliance with Local Rule 5.1, N.D.Ga., using Book Antiqua 13-point type, and have this day electronically filed the document with the Clerk of Court using the CM/ECF system, which will automatically send e-mail notification of such filing to all attorneys of record.

/s/ Jason D. Sammis

Jason D. Sammis

Leslie M. Sammis

Attorney for Claimant

CERTIFICATE OF SERVICE

I hereby certify that I served CLAIMANT'S MOTION FOR SUMMARY JUDGMENT upon Plaintiff by using the Court's CM/ECF system, which automatically notifies the parties and counsel of record.

This 2nd day of September 2022.

/s/ Jason D. Sammis
Jason D. Sammis
Leslie M. Sammis
Attorney for Claimant